

# Notice of Allowability

Application No.

09/977,871

Examiner

Raymond J. Bayerl

Applicant(s)

HAWKINS ET AL.

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to papers filed 23 September 2004.
2. ☒ The allowed claim(s) is/are 1 - 22, 24 - 26.
3. ☒ The drawings filed on 14 October 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

## Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other \_\_\_\_\_

**RAYMOND J. BAYERL**  
**PRIMARY EXAMINER**  
**ART UNIT 2173**

15 February 2005

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1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Mr. Suh on 15 February 2005.

3. The application has been amended as follows:

In the Specification:

At page 2, line 7, --, now US Patent number 6,781,575 B1-- has been inserted after "09/21/00", so as to update the status of the CIP parent.

In the Claims:

Claim 23 has been canceled, as being a duplicate of claim 22.

4. The following is an examiner's statement of reasons for allowance:

After carefully considering applicant's two independent claims 1, 10, along with the amendment and response filed on 23 September 2004, the Examiner deems the presently-claimed invention to have overcome the prior art now made of record.

Specifically, and concerning claim 1, the Examiner agrees with the response; that Ben-Shachar et al. (US #6,557,004 B1) does not teach or suggest applicant's "method for selecting a desired subset", inasmuch as there is no explicit teaching to suggest that the "second subset" should consist of items with "a first name beginning with said first desired letter and a last name beginning with said second desired letter", as the amendment now limits the possibilities for that "subset". A similar line of reasoning

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applies to Raisanen (US #6,502,090), where stored names can be searched for according to first characters of a name, but not with the two-step "subset" determination that also uses last names.

Regarding the use of letters from first and last names to search a contacts database, the Examiner did note Baker et al. (US #6,405,172 B1), in which an operator reads the first few characters from each of the first and last names of a mail addressee. However, this is a voice-actuated system not disclosed as necessarily finding a "second subset" from a "first", after the entry of a "first desired letter input" produces the "first subset".

Concerning independent claim 10, the Examiner also agrees with the response, in that the cited reference Whipple et al. (US #5,917,905) does not render the claim unpatentable, when taken in combination with Ben-Shachar. Whipple et al., while using multiple panels to contain assorted telephone functions, does not disclose "continuing to display said first, second, third, and fourth buttons while said first particular interface is displayed".

During an updated search, the Examiner noted that Schnarel et al. (US #6,389,124) appears to use a screen display with the well-known tab metaphor, whereby a number of indicia are available at all times, when a given window has been opened. However, Schnarel et al. do not have all four of "a telephone dial pad", "a speed dial interface", "a call history interface" and "a contact list interface" amid the items selectable by a "button".


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5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Raymond J. Bayerl whose telephone number is (571) 272-4045. The examiner can normally be reached on M - F from 9:00 AM to 4:00 PM ET.

7. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (571) 272-4048. All patent application related correspondence transmitted by FAX **must be directed** to the central FAX number (703) 872-9306.

8. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571) 272-2100.



RAYMOND J. BAYERL  
PRIMARY EXAMINER  
ART UNIT 2173

15 February 2005